

Kirk McNab

Criminal Arrest

DATE: January, 2002

DEFENDANT: Kirk McNab Goodland, Kansas

CHARGES: Kirk McNab was arrested in Myrtle Beach, South Carolina. McNab is charged with 13 counts fraud, 12 counts unregistered broker/dealer, 12 counts unregistered securities; 1 count conspiracy for his involvement in a Ponzi type scheme which investors would purchase what were believed to be investments in fractional interest in a series of oil wells in Kansas. Most of the oil wells never existed.

COURT: Sherman County, Kansas

Disposition of Criminal Case- Sherman County

Date: September 8, 2003

Court: Sherman County, Kansas

Kirk McNab pled guilty to one count of securities fraud, one count of sale of securities by an unregistered broker-dealer or agent, and one count of conspiracy to commit securities fraud. Sentencing is pending.

Disposition of Criminal Case- Sedgwick County

Date: September 10, 2003

Court: Sedgwick County, Kansas

Kirk McNab pled guilty to one count of securities fraud and one count of sale of securities by an unregistered broker-dealer or agent. Sentencing is set for October 16 before Judge William Woolley.

Sentencing- Sherman County

Date: January 23, 2004

Court: Sherman County, Kansas

Sherman County District Court Judge Jack Burr sentenced Kirk McNab to 50 months in prison and ordered him to pay restitution to the victims in the amount of \$1,635,030.19.

Sentencing- Sedgwick County

Date: January 30, 2004

Court: Sedgwick County, Kansas

Kirk McNab was sentenced to a total of 42 months in prison, to run concurrently to the 50 month sentence from Sherman County. Restitution of \$79,707.00 plus some court costs was also ordered.

Conviction Affirmed

DATE: July 8, 2005

CASE: State of Kansas v. Kirk Mitchell McNab
Kansas Court of Appeals Docket Number 92,476

Finding: The Kansas Court of Appeals issued its unpublished opinion and affirmed the conviction of Mr. McNab.

Notice to Investors: If you are not a resident of Kansas and have been affected by actions that are similar to those described in this synopsis, you should consider contacting your state securities regulator for assistance. To locate your securities regulator, go to the [North American Securities Administrators Association](#) website. If you choose to contact your state securities regulator, please inform him or her of the action taken by the State of Kansas.